

CLOSED

**U.S. District Court**

**Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF Release  
1.7 (Revision 1.7.1)] (Albany)**  
**CIVIL DOCKET FOR CASE #: 1:22-cv-00936-TJM-TWD**

Village of Fort Plain v. The 3M Company et al

Assigned to: Senior Judge Thomas J. McAvoy

Referred to: Magistrate Judge Therese Wiley Dancks

Case in other court: Supreme Court Montgomery County, EF2022-407

Cause: 28:1442 Notice of Removal

Date Filed: 09/09/2022

Date Terminated: 09/22/2022

Jury Demand: Both

Nature of Suit: 245 Tort Product Liability

Jurisdiction: Federal Question

**Plaintiff****Village of Fort Plain**

represented by **Nicholas H. Mindicino**

Napoli Shkolnik PLLC

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V.

**Defendant**

**The 3M Company**  
*formerly known as*  
Minnesota Mining and Manufacturing Co.

**Defendant**

**AGC Chemicals Americas Inc.**

**Defendant**

**Amerex Corporation**

**Defendant**

**Arkema Inc**

**Defendant**

**Archroma U.S. Inc.**

**Defendant**

**BASF Corporation**

*Individually and as successor in interest to Ciba  
Inc.*

**Defendant**

**Buckeye Fire Equipment Company**

**Defendant**

**Carrier Global Corporation**

**Defendant**

**Chemdesign Products Inc.**

**Defendant**

**Chemguard Inc.**

represented by **Thomas J Herten**  
Archer & Greiner, PC  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
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**Fee Status: paid\_2019**

**Defendant**

**Chemicals, Inc.**

**Defendant**

**Clariant Corporation**

*individually and as successor in interest to  
Sandoz Chemical Corporation*

**Defendant**

**Corteva, Inc.**

*individually and as successor in interest to  
DuPont Chemical Solutions Enterprise*

**Defendant**

**Deepwater Chemicals, Inc.**

**Defendant**

**Dupont De Nemours Inc.**

*individually and as successor in interest to  
DuPont Chemical Solutions Enterprise*

**Defendant**

**Dynax Corporation**

**Defendant**

**E.I. duPont de Nemours and Company**

*individually and as successor in interest to  
DuPont Chemical Solutions Enterprise*

**Defendant**

**Kidde–Fenwal, Inc.**

*individually and as successor in interest to  
Kidde Fire Fighting, Inc.*

**Defendant**

**Nation Ford Chemical Company**

**Defendant**

**National Foam, Inc.**

**Defendant**

**The Chemours Company**

*individually and as successor in interest to  
DuPont Chemical Solutions Enterprise*

**Defendant**

**The Chemours Company FC, LLC**

*individually and as successor in interest to  
DuPont Chemical Solutions Enterprise*

**Defendant**

**Tyco Fire Products, LP**  
*individually and as successor in interest to The  
 Ansul Company*

represented by **Thomas J Herten**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
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*Fee Status: paid\_2019*

### Defendant

#### **Doe Defendants 1–20**

*fictitious names whose present identities are  
 unknown*

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
09/09/2022	I 1	NOTICE OF REMOVAL from Supreme Court of Montgomery County, case number EF2022-407 (Filing fee \$402 receipt number 6027696) filed by Tyco Fire Products, LP, Chemguard Inc.. (Attachments: # 1 State Court Complaint, # 2 Civil Cover Sheet)(jdp ) (Entered: 09/12/2022)
09/09/2022	I 2	STATE COURT COMPLAINT filed by Plaintiff(s) in Supreme Court of Montgomery County. (jdp ) (Entered: 09/12/2022)
09/09/2022	I 3	G.O. 25 FILING ORDER ISSUED: Initial Conference set for 12/8/2022 at 9:30 AM via telephone before Magistrate Judge Therese Wiley Dancks. Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 12/1/2022. (Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court.) (jdp ) (Entered: 09/12/2022)
09/09/2022	I 4	NOTICE OF ADMISSION REQUIREMENT as to Party Village of Fort Plain; Attorney Andrew Croner; Address: 360 Lexington Avenue, 11th Floor, New York, NY 10017. Admissions due by 9/23/2022. (Copy of the G.O. 25 sent with Admission Requirement)(jdp ) (Entered: 09/12/2022)
09/12/2022	I	***Answer due date updated for AGC Chemicals Americas Inc. answer due 9/19/2022; Amerex Corporation answer due 9/19/2022; Archroma U.S. Inc. answer due 9/19/2022; Arkema Inc answer due 9/19/2022; BASF Corporation answer due 9/19/2022; Buckeye Fire Equipment Company answer due 9/19/2022; Carrier Global Corporation answer due 9/19/2022; Chemdesign Products Inc. answer due 9/19/2022; Chemguard Inc. answer due 9/19/2022; Chemicals, Inc. answer due 9/19/2022; Clariant Corporation answer due 9/19/2022; Corteva, Inc. answer due 9/19/2022; Deepwater Chemicals, Inc. answer due 9/19/2022; Doe Defendants 1–20 answer due 9/19/2022; Dupont De Nemours Inc. answer due 9/19/2022; Dynax Corporation answer due 9/19/2022; E.I. duPont de Nemours and Company answer due 9/19/2022; Kidde-Fenwal, Inc. answer due 9/19/2022; Nation Ford Chemical Company answer due 9/19/2022; National Foam, Inc. answer due 9/19/2022; The 3M Company answer due 9/19/2022; The Chemours Company answer due 9/19/2022; The Chemours Company FC, LLC answer due 9/19/2022; Tyco Fire Products, LP answer due 9/19/2022. (jdp ) (Entered: 09/12/2022)
09/12/2022	I	TEXT NOTICE: Although the plaintiff herein has named John Doe defendant(s) in the Complaint, the Clerk's Office will not issue summons(es) for service of process on a John Doe defendant(s) at this time. In the event plaintiff wishes to pursue the claims against this defendant, plaintiff shall take reasonable steps to ascertain their identity. When plaintiff determines the identity of the John Doe defendant(s), plaintiff may seek to amend the pleading to add the properly named defendant(s) pursuant to FED. R. CIV. P. 15 and summons(es) will be issued at that time. (jdp ) (Entered: 09/12/2022)

09/12/2022	<u>i</u> 5	CERTIFICATE OF SERVICE by Chemguard Inc., Tyco Fire Products, LP re <u>1</u> Notice of Removal, (Herten, Thomas) (Entered: 09/12/2022)
09/13/2022	<u>i</u> 6	STIPULATION re <u>2</u> State Court Complaint <i>Extending Time to Answer, Move, or Otherwise Respond to Complaint</i> by Chemguard Inc., Tyco Fire Products, LP submitted to Judge McAvoy. (Herten, Thomas) Modified on 9/15/2022 (sg, ). (Entered: 09/13/2022)
09/13/2022	<u>i</u> 7	NOTICE by Chemguard Inc., Tyco Fire Products, LP re <u>6</u> Stipulation (Herten, Thomas) (Entered: 09/13/2022)
09/15/2022	<u>i</u> 8	STIPULATION AND ORDER. Signed by Magistrate Judge Therese Wiley Dancks on 9/15/2022. (sg) (Entered: 09/15/2022)
09/15/2022	<u>i</u> 9	TEXT ORDER: The Court has approved the stipulation pertaining to plaintiff and defendants <u>Chemguard and Tyco only</u> . Plaintiff should file certificates of service regarding the remaining defendants within ten (10) days of service on any other defendant. Counsel for Chemguard and Tyco to file status report regarding this matter potentially being transferred to the AFFF MDL by 10/31/2022. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 9/15/2022. (sg) (Entered: 09/15/2022)
09/22/2022	<u>i</u> 10	JPMDL CONDITIONAL TRANSFER ORDER (CTO-104) TRANSFERRING CASE to District of South Carolina for inclusion into MDL No. 2873, In re: Aqueous Film-Forming Foams Products Liability Litigation. Opposition period has expired with no objections filed. Case assigned to the Hon. Richard M. Gergel. (see) (Entered: 09/22/2022)